

Serial No.: 10/541,745  
Attorney's Docket No.: 28955.4028

### REMARKS

Claims 1-3, 6, 7, 9-11, and 13-21, as amended, remain herein. Claims 4, 5, 8 and 12 have been cancelled without prejudice. Claims 1 and 9-11 have been amended. Support for the amendments may be found throughout the specification (see, e.g., original claims; and pages 16-18 of the specification). The specification has been amended to moot the objection to the specification.

1. Claims 1-8 and 14-21 were rejected under 35 U.S.C. § 112, first paragraph. The claims have been amended to moot this rejection.

2. Claims 1-4, 7, 8, 14-18 and 21 were rejected under 35 U.S.C. § 102(b) over Hosokawa et al. US Patent Application Publication 2002/0048687. Claim 1 has been amended to incorporate the limitations of claim 5, which was not subject to this rejection. Applicants respectfully request reconsideration and withdrawal of this ground of rejection.

3. Claims 1-6, 8 and 21 were rejected under 35 U.S.C. § 102(e) over Kim et al. US Patent 6,998,487. The Office Action alleges that applicants' claims read on Kim's compounds 203 and 210.

Claim 1 has been amended to require that Ar<sup>2</sup> may be substituted only with an alkyl group. Kim does not disclose applicants' Ar<sup>2</sup> group. Kim's compounds 203 and 210 do not disclose an aryl group at the Ar<sup>2</sup> position, which may only be substituted with an alkyl group.

Thus, Kim does not disclose all elements of applicants' claims, and therefore is not an adequate basis for a rejection under 35 U.S.C. § 102(e). Applicants respectfully request

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reconsideration and withdrawal of this ground of rejection.

4. Claims 9-11 and 13 were rejected under 35 U.S.C. § 102(b) over Paal et al. GB 2,351,081. Claim 9 has been amended to incorporate the limitations of claim 12, which is not subject to this rejection. Applicants respectfully request reconsideration and withdrawal of this ground of rejection.

5. Claims 19-20 were rejected under 35 U.S.C. § 103(a) over Hosokawa in view of Kido et al. U.S. Patent 6,013,384.

As discussed above and admitted in the Office Action, Hosokawa does not teach or suggest the limitations applicants' claims. Kido does not teach or suggest what is missing from Hosokawa.

Thus, none of Hosokawa and Kido disclose all the limitations of applicants' claims. Furthermore, Hosokawa and Kido disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. There is no disclosure or teaching in either Hosokawa, Kido, or anything else in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Applicants respectfully request reconsideration and withdrawal of this ground of rejection.

6. Claims 19-20 were rejected under 35 U.S.C. § 103(a) over Kim in view of Kido.

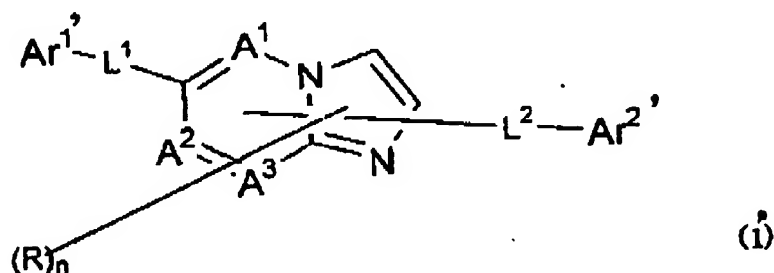
As discussed above, Kim does not teach or suggest the limitations applicants' claims. Kido does not teach or suggest what is missing from Kim.

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Thus, none of Kim and Kido disclose all the limitations of applicants' claims. Furthermore, Kim and Kido disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. There is no disclosure or teaching in either Kim, Kido, or anything else in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Applicants respectfully request reconsideration and withdrawal of this ground of rejection.

7. Claims 9-13 were rejected under 35 U.S.C. § 103(a) over Nakatsuka et al. JP 2001-035664.

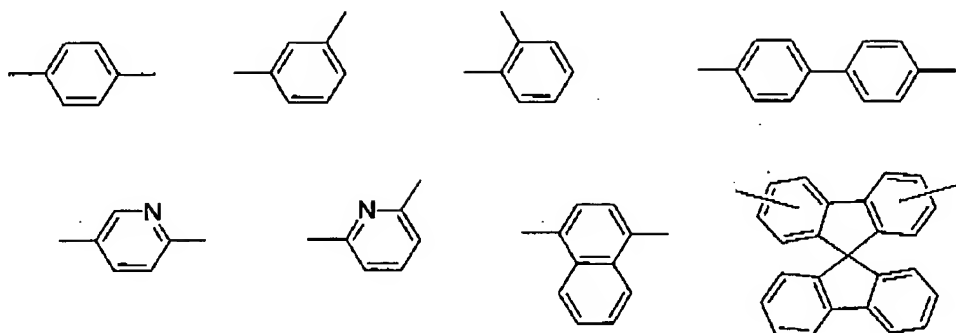
Applicants' claim 9 recites a derivative of heterocyclic compound having nitrogen atom represented by general formula (1):



wherein at least one of the groups represented by Ar<sup>1</sup> and Ar<sup>2</sup> is a substituted or unsubstituted condensed cyclic group having 10 to 60 nuclear carbon atoms or Ar<sup>1</sup> is a substituted or unsubstituted condensed mono-heterocyclic group having 3 to 60 nuclear carbon atoms;  
 and at least one of L<sup>1</sup> and L<sup>2</sup> is a group selected from the following groups:

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Thus, applicants' claims require at least one condensed cyclic ring at the  $Ar^{1'}$  or  $Ar^{2'}$  positions and at least one of  $L^1$  and  $L^2$  groups above. Thus, Nakatsuka's compound A-50 is not a position isomer of applicants' claimed compounds. In addition, contrary to the assertion in the Office Action, there is no teaching or suggestion in Nakatsuka to further functionalize the compounds of Nakatsuka or to use the Suzuki coupling reaction.

Alleged obviousness, based on structural similarity, is rebuttable by proof that the claimed compounds possess unexpectedly advantageous or superior properties. MPEP § 2144.09(VII) (citing *In re Papesch*, 315 F.2d 381 (C.C.P.A. 1963) and *In re Wiechert*, 370 F.2d 927 (C.C.P.A. 1967)).

Applicants' claimed organic electroluminescent device exhibits superior and unexpected properties, namely, excellent luminance and higher light efficiency even at lower voltage. For instance, the absence of the claimed  $Ar^{1'}$  group results in a significantly lower luminance and efficiency of light emission (compare the device of Examples 18 to 21 to that of Comparative Example 3 (showing excellent luminance and higher light efficiency even at lower voltage)).

Nakatsuka discloses nothing that would have suggested applicants' claimed invention to one of ordinary skill in the art. There is no disclosure or teaching in Nakatsuka, or anything else

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in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention. Thus, applicants' claims are not obvious over Nakatsuka. Applicants respectfully request reconsideration and withdrawal of this ground of rejection.

8. Claims 1-3, 5-8 and 14-21 were provisionally rejected for non-statutory obviousness-type double patenting over claims 1-11 of U.S. Patent Application Serial No. 11/691888, claims 1-10 of U.S. Patent Application Serial No. 11/566008, claims 1-15 of U.S. Patent Application Serial No. 10/547312, and claims 1-15 of U.S. Patent Application Serial No. 10/594323. Applicants respectfully defer responding to this provisional rejection until claims of the present application are deemed otherwise allowable.

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Accordingly, this application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293. If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Respectfully submitted,

STEPTOE & JOHNSON LLP

Date: December 19, 2008

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CERTIFICATE OF TRANSMISSION

I hereby certify that the attached correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at Facsimile Number (571) 273-8300 on 12/19, 2008

By:

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